


The version you're consulting is not final. This course description may change. The final version will be published on 1st June.

6.00 credits	30.0 h + 15.0 h	Q1
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Language :	French
Place of the course	Charleroi
Prerequisites	/
Learning outcomes	
Evaluation methods	Written examination. The student will be assessed on both his technical knowledge and: <ul style="list-style-type: none"> <li>• on his ability to use the Belgian Income Tax Code;</li> <li>• on his understanding of the mechanisms and rules that are specific to the tax system;</li> <li>• on his ability to express a clear and structured answer to the asked questions.</li> </ul>
Teaching methods	Lectures illustrated by exercises and case studies. Upon completion of this course, students will be able to understand the tax implications of the main transactions effected by a company.
Content	<ol style="list-style-type: none"> <li>1. General introduction to direct taxation <ul style="list-style-type: none"> <li>• Purpose and relevance of public finances</li> <li>• National and international legal sources</li> <li>• General principles and interpretation of corporate tax law</li> <li>• Role and functioning of the tax authorities (large enterprises)</li> <li>• Ruling Commission (SDA)</li> </ul> </li> <li>2. Notion tax/assessment year and financial/accounting period <ul style="list-style-type: none"> <li>• Annuality principle</li> <li>• Anti-abuse re changes of financial/accounting periods</li> </ul> </li> <li>3. Corporate income tax <ul style="list-style-type: none"> <li>• Fundamental principles</li> <li>• Resident company</li> <li>• Activities performed</li> </ul> </li> <li>4. Differences with individual enterprises <ul style="list-style-type: none"> <li>• Transition to a company</li> <li>• Management companies</li> </ul> </li> <li>5. Differences with legal entities subject to legal entities tax <ul style="list-style-type: none"> <li>• Legal entities subject to legal entities tax</li> <li>• Legal entities excluded from legal entities tax</li> <li>• Legal entities and not for profit activities</li> </ul> </li> <li>6. Taxable basis <ul style="list-style-type: none"> <li>• Notion of income or taxable profit</li> <li>• Taxable profit versus (effectively) taxed</li> </ul> </li> <li>7. Determination of the taxable basis <ul style="list-style-type: none"> <li>• Accounting law</li> <li>• Capital</li> <li>• Reserves</li> <li>• Dividends</li> <li>• Disallowed expenses</li> <li>• Deductible expenses</li> <li>• Impairments</li> <li>• Provisions</li> </ul> </li> </ol>

	<p>8. Steps of the tax return</p> <ul style="list-style-type: none"> <li>• Taxable reserves movement, disallowed expenses and distributed dividends</li> <li>• Profit according to source</li> <li>• Deduction of non taxable elements</li> <li>• Current Belgian participation exemption (DRD)</li> <li>• Deduction for innovation</li> <li>• Investment deduction</li> <li>• Intercompany deduction = BALANCE</li> <li>• Tax losses carried forward threshold : maximum of 1.000.000 EUR + 70% of the positive balance after the investment deduction (30% &gt; 1.000.000 EUR not deductible)</li> <li>• Déduction pour capital à risque (incrémentale)</li> <li>• Deduction of carried forward DRD</li> <li>• Deduction of carried forward innovation deduction</li> <li>• Tax losses carried forward</li> <li>• NID</li> </ul> <p>9. Payments to tax havens</p> <ul style="list-style-type: none"> <li>• Obligations</li> <li>• Sanctions</li> </ul> <p>10. Frequent operations</p> <ul style="list-style-type: none"> <li>• Constitution, capital increase and reduction</li> <li>• Liquidation</li> <li>• share redemption</li> <li>• TLCF and tax attributes utilisation</li> <li>• Change of control</li> </ul> <p>11. Withholding tax</p> <p>12. Transfer pricing</p> <ul style="list-style-type: none"> <li>• Profit split</li> <li>• Granted abnormal or benevolent advantages</li> <li>• Received abnormal or benevolent advantages</li> </ul> <p>13. Tax evasion and difference with tax avoidance</p>
<p>Inline resources</p>	<p>PowerPoint and documents (jurisprudence, doctrine, casus) on Moodle</p>
<p>Bibliography</p>	<ul style="list-style-type: none"> <li>- Le régime fiscal des sociétés holdin en Belgique, Ch. Chérui et Ch. Laurent, Ed. 2006</li> <li>- Manuel pratique d'impôt des sociétés, L. Deklerck, Larcier, Ed. 2020</li> <li>- Maîtriser l'impôt des sociétés, D. Darté et Y. Noël, Edipro, Ed. 2022</li> <li>- Vademecum vennootschapsbelasting C. Meskens et B. Decock, Ed. 2023</li> <li>- Acquisitions, financement et cessions d'entreprises, H. Lamon, Ed. 2015</li> <li>- <a href="http://www.Fisconetplus.be">www.Fisconetplus.be</a></li> <li>- <a href="http://www.CNC-CBN.be">www.CNC-CBN.be</a></li> <li>- <a href="http://www.ruling.be">www.ruling.be</a></li> <li>- <a href="http://www.curia.eu">www.curia.eu</a></li> </ul>
<p>Faculty or entity in charge</p>	<p>CLSM</p>

<b>Programmes containing this learning unit (UE)</b>				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Master [120] in Management (shift Schedule 2)	FEHC2M	6		
Executive certificate in Corporate Tax	FISE9CE	6		